

REMARKS

The present patent application has been reviewed in light of the office action, dated June 16, 2005, in which claims 15-17 are rejected under 35 U.S.C. § 102(e) as being anticipated by Suga et al., U.S. Patent No. 6,192,191 (hereinafter "Suga"). Claim 18 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Suga in view of Maximum Technologies (Internet Publication, 2000). Claim 19 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Suga in view of Ochi et al., U.S. Patent No. 6,233,014 (hereinafter "Ochi"). Claims 20 and 21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Suga in view of Haranishi, U.S. Patent No. 5,764,779 (hereinafter "Haranishi"). Reconsideration of the above-referenced patent application in view of the foregoing amendment and following remarks is respectfully requested.

Claims 15-25 are pending. Claims 15-21 have been amended. Claims 22-25 have been added.

Rejections under 35 U.S.C. § 102(e)

Claims 15-17 are rejected under 35 U.S.C. § 102(e) as being anticipated by Suga. However, Suga does not disclose "producing a multimedia data file comprising digital image and sound information derived from the first and second digital signals" as claimed in amended claim 1. Therefore, independent claim 15 and the claims that depend from it are believed to patentably distinguish from the cited patent. It is, therefore, respectfully requested that the Examiner withdraw the rejection as to these claims.

It is noted that claimed subject matter may be patentably distinguished from the cited patent for additional reasons; however, the foregoing is believed to be sufficient.

Rejections under 35 U.S.C. § 103(a)

Claim 18 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Suga in view of Maximum Technologies. Claim 19 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Suga in view of Ochi. Claims 20 and 21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Suga in view of Haranishi. However, because neither Suga nor Maximum Technologies nor Ochi disclose the claim elements discussed above, even if there was a suggestion or teaching to combine the cited patents and/or Internet publication, and Assignee respectfully submits that there is no such teaching or suggestion, the resulting combination would still lack at least one element of the rejected claims. Therefore, claims 18-21 are believed to patentably distinguish from the cited patents and Internet publication. It is, therefore, respectfully requested that the Examiner withdraw the rejection as to these claims.

It is noted that claimed subject matter may be patentably distinguished from the cited patents and/or Internet publication for additional reasons; however, the foregoing is believed to be sufficient. Likewise, it is noted that the Assignee's failure to comment directly upon any of the positions asserted by the Examiner in the office action does not indicate agreement or acquiescence with those asserted positions.

Attorney Docket: 112.P55008

CONCLUSION

In view of the foregoing, it is respectfully asserted that all of the claims pending in the present patent application are in condition for allowance. If the Examiner has any questions, he is invited to contact the undersigned at (503) 439-6500. Reconsideration of the present patent application and early allowance of all the claims is respectfully requested. Please charge any underpayments or credit any overpayments to deposit account no. 50-3703.

Respectfully submitted,

Dated: 12/13/05

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